

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID NATHANIEL ROBERTS,
Plaintiff,
v.
WARDEN LYNCH,
Defendant.

No. 2:20-cv-01349 WBS DB P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff claims defendants violated his rights by improperly taking funds from his prison trust account and withholding his legal mail. Presently before the court is plaintiff's motion to opt out of the court's Post-Screening ADR (Alternative Dispute Resolution) Project. (ECF No. 34.)

In support of the motion, counsel for defendants Peluso and Jones states that they have conducted a preliminary investigation into plaintiff's allegations. (ECF No. 34 at 3.) They have determined that defendants have strong defenses and therefore little incentive to settle at this time. (*Id.*) The court finds good cause to grant the motion to opt out.

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. Defendants' motion to opt out (ECF No. 34) is granted;
- 3 2. The ADR stay in this action is lifted; and
- 4 3. By separate order, the court will set a schedule for this case.

5 Dated: April 18, 2023

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DEBORAH BARNES
9 UNITED STATES MAGISTRATE JUDGE
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13 DB/DB Prisoner Inbox/Civil Rights/R/robe1349.opt.out.post.ans

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